



Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

August 3, 2016

California Coastal Commission South Central Coast District Office
Steve Hudson, District Deputy Director
89 South California Street, Suite 200
Ventura, CA 93001

NOTICE OF FINAL LOCAL DECISION ON COASTAL DEVELOPMENT PERMIT

Please note the following Final Los Angeles County Action on a coastal development permit application (all local appeals have been exhausted for this matter):

PROJECT INFORMATION

Project No.:	R2015-02865 (3)
Coastal Development Permit No.:	201500103
Project Applicant:	Ralph Meyer & Sandra Garber Topanga Community Club
Applicant's Representative:	John Mac Neil 2330 N. Topanga Canyon Blvd. Topanga, CA 90290
Project Location:	1440 & 1414 N. Topanga Canyon Blvd. Topanga, CA 90290
Project Description:	To authorize a lot line adjustment of a lot line for three properties: Parcel 1 (1440 N. Topanga Canyon Blvd APN 4441-027-001) 12.18 ac. and Parcel 2 (1414 N. Topanga Canyon Blvd) which consists of APNs 4441-026-013 and 4441-037-013; per of Certificate of Compliance 100,027, document # 85 1265685, the parcels of APNs 4441-026-013 and 4441-037-013 were merged and total 27,210 sq. ft.

FINAL DECISION INFORMATION

The Hearing Officer ("HO") approved the above-referenced project with conditions on December 15, 2015. No appeals were received during the appeal period, which ended on January 14, 2016. Enclosed are the required materials supporting the final decision including the approval letter, and the Hearing Officer's Findings and Conditions of Approval.

CALIFORNIA COASTAL COMMISSION APPEAL INFORMATION

This approval is not appealable to the California Coastal Commission because the approved uses are the principal permitted uses within the R-C-10,000 (Rural Coastal Zone – 10,000 Square Feet Minimum Required Lot Area) and R-C-20 (Rural Coastal Zone – 20 ac. Minimum Required Lot Area) Zone and the approved development is not located within the boundaries of the Coastal Commission's appeal jurisdiction pursuant to LIP Section 22.44.1050.

Copies of the notice have also been sent via first-class mail to:

John Mac Neil
2330 N. Topanga Canyon Blvd.
Topanga, CA 90290

For questions or for additional information, please contact James Bell of the Land Division Research & Subdivision Enforcement Section at (213) 974-6458, or by email at jbelle@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,
DEPARTMENT OF REGIONAL PLANNING
Richard J. Bruckner



Gary Fountain, Supervising Regional Planner
Land Division Research & Subdivision Enforcement Section

Enclosures: Hearing Officer Approval Letter, Findings, Conditions of Approval, Affidavit of Acceptance (Permittee's Completion)

c: John Mac Neil

GF:JB



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

June 7, 2016

John MacNeil
2330 N. Topanga Canyon Boulevard
Topanga, CA 90290

**REGARDING: PROJECT NO. 2015-02865-(3)
MINOR COASTAL DEVELOPMENT (LOT LINE ADJUSTMENT) PERMIT
NO. 201500103
622 and 624 Topanga Canyon Boulevard APNs 4441-027-001, 4441-026-
013 and 4441-037-013**

Hearing Officer Mr. Durbin, by his action of **June 7, 2016**, has **APPROVED** the above-referenced project. Enclosed are the Hearing Officer's Findings and Conditions of Approval. Please carefully review each condition. This approval is not effective until the appeal period has ended and the required documents and applicable fees are submitted to the Regional Planning Department (see enclosed Affidavit of Acceptance Instructions).

The applicant or any other interested persons may appeal the Hearing Officer's decision. The appeal period for this project will end at 5:00 p.m. on **June 21, 2016**. **Appeals must be delivered in person.**

Appeals: **To file an appeal, please contact:**
Regional Planning Commission, Attn: Commission Secretary
Room 1350, Hall of Records
320 West Temple Street, Los Angeles, CA 90012
(213) 974-6409

Upon completion of the appeal period, the notarized Affidavit of Acceptance and any applicable fees must be submitted to the planner assigned to your case. In addition, any applicable CEQA fees for the Department of Fish and Wildlife shall be paid, and a Notice of Determination, if applicable, must be filed with the County Clerk according to the instructions with the enclosed Affidavit of Acceptance. Please make an appointment to ensure that processing will be completed in a timely manner. Failure to submit these documents and applicable fees within 60 days will result in a referral to Zoning Enforcement for further action.

For questions or for additional information, please contact James Bell of the Land Division Research and Enforcement Section at (213) 974-6458, or by email at jbelle@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,

DEPARTMENT OF REGIONAL PLANNING

Richard J. Bruckner



Gary Fountain, Supervising Regional Planner
Land Division Research and Subdivision Enforcement Section

Enclosures: Findings, Conditions of Approval, Affidavit of Acceptance (Permittee's Completion)

c: DPW (Building and Safety); Zoning Enforcement

GF:JB

**FINDINGS OF THE HEARING OFFICER
AND ORDER
COUNTY OF LOS ANGELES
PROJECT NUMBER R2015-02865
MINOR COASTAL DEVELOPMENT PERMIT 201500103**

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing in the matter of Minor Coastal Development Permit 201500103 ("CDP") on December 15, 2015.
2. Applicants, Ralph Meyer, Sandra Garber, and the Topanga Community Club request a Minor CDP to authorize a lot line adjustment for two lots for property located at 1440 Topanga Canyon Blvd. (Parcel 1), 12.18 ac. and 1414 Topanga Canyon Blvd. (Parcel 2), 27,210 sq. ft., sq. ft. in the village of Topanga Oaks and in The Malibu Zoned District.
3. The subject property is zoned R-C-10,000 (Rural Coastal Zone – 10,000 Square Feet Minimum Required Lot Area) and R-C-20 (Rural Coastal Zone – 20 ac. Minimum Required Lot Area).
4. The applicant has stated that the reason for the lot line adjustment is to eliminate the encroachments over lot lines with an equal exchange of land between the two subject properties.
5. Surrounding Zoning within 500 foot radius includes:
North: A-1-5, R-1-5,
South: R-C-20, R-C 10,000
East: R-C-20, OS
West: R-C-10,000, R-C-20
6. Surrounding land uses within a 700 foot radius include:
North: Vacant, single family residential
South: Vacant, single family residential
East: Vacant, single family residential
West: Single family residential, commercial (outdoor theater), and vacant
7. The following is the case history for the subject properties:
 - A. RCUP201000105 was withdrawn December 2, 2014.
 - B. RCDP 201400010 Approved on December 2, 2014 to allow roof mounted solar panels.
 - C. RCDP 201400017 was, on January 5, 2015, to add an exterior stairs and landing.
 - D. RZCR 201000552 for a façade remodel of a single family residence and adding new awnings, siding and new windows; approved in concept on August 11, 2010.
 - E. CC 100027 was recorded, on October 25, 1985. The Certificate of Compliance merged two parcels into one (a portion of Lot 2 of PM 6501 and Lot 2 of Tract 6943).
 - F. PM 6501 was recorded on May 28, 1981. This map reconfigured Parcel 2 of this application.
 - G. TR No 8639 was recorded, on June 5, 1928. This map created Parcel 1 of this application.

H. The subject property was zoned M-3, in 1956 (Ordinance No. 7076, December 26, 1956), and was rezoned to A-1-1, in 1957 (Ordinance 7276, December 24, 1957). In 2002, it was rezoned to C-2 and A-1-5 (Ordinance 2002-00627, August 20, 2002). The current R-C-10,000 (Parcel 2) and R-C-20 zoning (Parcel 1) was adopted on October 10, 2014 (Ordinance No. 2014-0055).

8. Parcel 1 (the northerly lot) is developed with a community club, a playground, various sheds, and a baseball field.
9. Parcel 2 (the southerly lot) is developed with a single family residence with a detached two-carport. A portion of the existing residence crosses the northerly property line onto Parcel 1. The proposed lot line adjustment would provide the required five foot side yard setback for the existing residence.
10. Prior to the Hearing Officer's public hearing on the project, Regional Planning staff (Staff) determined that the project qualified for a Class 5, Minor Alteration in Land Use Limitations, categorical exemption from the California Environmental Quality Act (Public Resources Code section 21000, et se.) ("CEQA") the State CEQA Guidelines and the Environmental Document Reporting Procedures and Guidelines for the County.
11. Pursuant to the provisions sections 22.44.970, 22.60.174, and 22.60.175 of the Zoning Code, the community was appropriately notified of the project's public hearings by mail, newspaper, and property posting.
12. The Hearing Officer finds the project is consistent with the goals and policies of the Santa Monica Mountains Land Use Plan. In particular, the following policies are applicable to the subject property and serve as development guidelines and the project complies with these policies:

LU-9 Land divisions shall only be permitted if each new parcel being created contains an identified building area and any necessary access road that could be developed consistent with all policy of the LCP and without building in H1 or H2 "High Scrutiny" habitat areas, H1 habitat buffer, or removing or modifying H1 or H2 "High Scrutiny" habitat for fuel modification. In the case of subdivisions or lot line adjustments that include the creation of parcel(s) that is dedicated or restricted to open space uses(through open space easement, deed restriction, or access road outside of SERA is required for the open spaces parcel(s).

The subject properties are not within the H1 or H2 "High Scrutiny" habitat areas. No parcels are being created from the lot line adjustment.

LU-31 Within Rural Villages, limit the mass, scale, and total square footage of structures to minimize grading, and landform alteration, and protect environmental and scenic recourses.

No new structures or grading are proposed in conjunction with the requested lot line adjustment.

LU-32 Restrict the mass scale, and total square footage of structures within Rural Villages to avoid the cumulative impacts of development of small constrained parcels on coastal resources by applying the Slope Intensity Formula shall not apply to the Upper Latigo Rural Village.

No new structures or grading are proposed in conjunction with the requested lot line adjustment.

LU-33 Require that new development be compatible with the rural character of the area and the surrounding natural environment.

The proposed lot line adjustment would not result in a change in the rural character of the neighborhood. The lot line adjustment would acknowledge the present location of the existing dwelling of Parcel 1 while meeting current development requirements, and Parcel 2, reflects the rural character of the neighborhood.

CO-125 Protect public views within Scenic Areas and throughout the Coastal Zone. Places on, along, within, or visible from Scenic Routes, public parklands, public trails, beaches, and state waters that offer scenic vistas of the mountains, canyons, coastline, beaches and other unique natural features are considered Scenic Resource Areas. Scenic Resource Areas do not include areas that are largely developed such as existing, predominantly built-out residential subdivisions. Scenic Resource Areas also include the scenic resources identified on Map 3 and consist of Scenic Elements, Significant Ridgelines, and Scenic Routes. In addition to the resources identified on Map 3, the public parkland and recreation areas identified on Map 4 are also considered Scenic Resource areas.

The subject property is located within a largely developed residential subdivision. Thus, the project site is not within a Scenic Resource Area per CO-125, and is not subject to the development standards for a Scenic Resource Area.

CO-154 Land divisions, including lot line adjustments, shall be designed to minimize impacts to visual resources by:

- a. Clustering the building sites to minimize site disturbance and maximize open space.
- b. Prohibiting building sites on ridgelines.
- c. Minimizing the length of access roads and driveways.
- d. Using shared driveways to access development on adjacent lots where feasible.
- e. Reducing the maximum allowable density in steeply sloping and visually sensitive areas.
- f. Minimizing grading and alteration of natural landforms.

Both Parcel 1 and 2 are developed. The proposed project does not include any additional development of either lot. Parcels 1 and 2 are not located on a ridgeline. Therefore, ridgeline views would not be impacted by this project. No new roads or driveways would need to be constructed to accommodate the existing development. Certificate of Compliance 100,027 reconfigured the subject property to be a single parcel. No grading is proposed as a part of this permit.

13. The Hearing Officer finds that the proposed lot line adjustment is consistent with the Rural Village land use designation of the Santa Monica Mountains Land Use Plan.
14. The Hearing Officer finds that the proposed lot line adjustment is consistent with the neighborhood's residential character and the land use in the community.
15. The Hearing Officer finds that Section 22.44.2140 D of the Zoning Code allows mergers and lot line adjustments in Rural Villages.
16. Pursuant to Section 22.44.850 of the Zoning Code, the Hearing Officer finds the applicants' CDP burden of proof has been met pursuant to Section 22.44.850 of the Zoning Code.
17. Pursuant to Sections 22.44.680 A and 22.44.640 A.1 of the Zoning Code, the Hearing Officer finds that the subject parcels were legally created by Tract No. 8639 (Parcel 1) and reconfigured by Certificate of Compliance 100,027, document # 85 1265685 (Parcel 2).
18. Pursuant to Section 22.44.680 B.1 of the Zoning Code, the Hearing Officer finds that the proposed lot line adjustment is arranged to avoid traffic congestion, provide for the safety and convenience of bicyclists and pedestrians, including children, senior citizens, and persons with disabilities, to insure the protection of public health, safety and general welfare, to prevent adverse effects on neighboring property, and conforms with good zoning practice.
19. Pursuant to Section 22.44.680 B.2 of the Zoning Code, the Hearing Officer finds that the lot design, frontage, and access are consistent with the Local Implementation Program ("LIP"), a component of the LCP.
20. Pursuant to Section 22.44.680 B.3 of the Zoning Code, the Hearing Officer finds that the proposed change in the lot line configuration would not result in any burden on public services or materially affect the property rights of any adjoining property owners because no development is proposed as a part of this application.
21. Pursuant to Section 22.44.680 C of the Zoning Code, the Hearing Officer finds that the existing, legally created parcels that are proposed to be reconfigured meet the requirements of Section 22.44.680 B of the Zoning Code as well as the requirements of Sections 22.44.640 A and 22.44.640 B of the Zoning.
22. The Hearing Officer finds that Section 22.44.680 D of the Zoning Code does not apply to the project because there is no H2 habitat area present.
23. Pursuant to Section 22.44.680 E of the Zoning Code, the Hearing Officer finds that the project will not increase the amount of landform alteration from that which would have been necessary for development on the existing parcels.
24. Pursuant to Section 22.44.680 F of the Zoning Code, the Hearing Officer finds that the proposed project will not result in greater adverse visual impacts from a scenic road, public trail or trail easement, or public beach than what would have occurred from the development of the original parcels because no development is proposed as a part of this project.

25. Pursuant to Section 22.44.680 G of the Zoning Code, the Hearing Officer finds that the lot line adjustment between Parcels 1 and 2 may be authorized because the adjustment will not adversely impact H1 habitat, H1 habitat buffer, H2 habitat, or scenic resources. The portions of the subject parcels that are within the H1 habitat buffer and scenic resources will not be adversely impacted because no additional development is proposed on Parcel 1. Parcel 2 is disturbed because of past development on the property.
26. Pursuant to Section 22.44.640 A.2 of the Zoning Code, the Hearing Officer finds that the project is consistent with all applicable LCP policies.
27. Pursuant to Section 22.44.640 A.3 of the Zoning Code, the Hearing Officer finds that the density proposed does not exceed the maximum density allowed for the property by the LIP zoning map and complies with the other policies of the LIP. The project's density is consistent with the LIP and Title 22.
28. Pursuant to Section 22.44.640 A.4 of the Zoning Code, the Hearing Officer finds that the project does not create any parcels that are smaller than the average size of the surrounding parcels. The smallest parcel within the proposed lot line adjustment is 27,210 square feet and the average size of the surrounding parcels is 6,614 square feet.
29. Pursuant to Sections 22.44.640 A.5 and 22.44.640 A.10 of the Zoning Code, Parcel 1 is developed with a community club structure, a playground, various sheds, and a baseball field and Parcel 2 is developed with a single-family residence. Thus, both lots contain an approved building site. No further development is proposed.
30. Pursuant to Section 22.44.640 A.6 of the Zoning Code, the Hearing Officer finds that Topanga Canyon Road and Rugged Trail is improved with an all weather pavement surface as required by the LIP.
31. Pursuant to Section 22.44.640 A.7 of the Zoning Code, the Hearing Officer finds that the project does not divide an existing lot entirely designated as H1 habitat, H1 habitat buffer, and/or H2 high scrutiny habitat.
32. Pursuant to Section 22.44.640 A.8 of the Zoning Code, the Hearing Officer finds that no roads or driveways would require construction in H1 habitat area, in H1 habitat buffer, in H1 Quiet Zone, on a coastal bluff, or on a beach.
33. Pursuant to Section 22.44.640 A.9 of the Zoning Code, the Hearing Officer finds that the proposed lot line adjustment results in parcels that are designed to avoid or minimize impacts to visual resources; no new construction or grading is proposed at this time.
34. The Hearing Officer finds that Section 22.44.640 B of the Zoning Code does not apply to the project because there is no H2 habitat area present.
35. The Hearing Officer finds that the project was reviewed by the Environmental Review Board (ERB), on February 22, 2016. No new impacts were identified with the implementation of the lot line adjustment. The Committee found the project is consistent with the Local Coastal Program and Local Implementation Program. ERB recommended approval of the project.

36. A site visit was made, on October 28, 2015, by Staff. The subject property contained a community center and play fields on Parcel 1, and a single family residence on Parcel 2.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:

- A. The proposed development is in conformity with the LCP;
- B. Any development located between the nearest public road and the sea or shoreline of any body of water located within the Coast Zone, is also in conformity with the public access and public recreation policies of Chapter 3 of Division 20 or the California Public Resources Code;
- C. That the use, development of land and/or application of development standards is in compliance with all applicable provisions of Title 22;
- D. That the use, development of land and/or application of development standards, when considered on the basis of the suitability of the site for the particular use or development intended, is so arranged as to avoid traffic congestion, insure the protection of public health, safety and general welfare, prevent adverse effects on neighboring property and is in conformity with good zoning practice;
- E. That the use, development of land and/or application of development standards is suitable from the standpoint of functional developmental design;
- F. That the lot design, frontage, access and similar standards are consistent with applicable provisions of contained in the County Subdivision Ordinance (Title 21 of the County Code);
- G. That any changes in access, lot configuration, or orientation of structures, easements or utilities to lot lines, will not, in the opinion of the Hearing Officer, result in any burden on public services or materially affect the property rights of any adjacent owners;
- H. That the parcels to be adjusted are already legal lots under the provisions of the Subdivision Map Act and the County Subdivision Ordinance;
- I. That the adjusted parcel configurations will be in accord with established neighborhood lot design patterns, and will not violate any statute, ordinance, regulation or good planning practice;
- J. That if any of the parcels to be adjusted are improved with a structure requiring a building permit, the applicant has provided an inspection report from the Building and Safety Division of the Los Angeles County Department of Public Works certifying that changes in lot lines will not violate any ordinances or regulations administered by that Department;
- K. That the Hearing Officer has considered the locations of existing structures, access roads and driveways related to this minor coastal development permit, and has determined that their location and the location of newly proposed lot lines are in accord

with all requirements of the Santa Monica Mountains Local Coastal Land Implementation Plan (LIP);

- L. That the lot design, frontage, and access shall be consistent with all applicable provisions contained in the Santa Monica Mountains LIP;
- M. That the proposed lot configuration is arranged to avoid traffic congestion, provide for the safety and convenience of bicyclists and pedestrians, including children, senior citizens, and persons with disabilities, to insure the protection of public health, safety and general welfare, to prevent adverse effects on neighboring property, and is in conformity with good zoning practice;
- N. That the proposed reconfigured parcels will accommodate existing development in a manner that more closely conforms with the Local Coastal Plan policies and standards than the current configuration of the subject parcels;
- O. That the proposed lot line adjustment will not adverse affect H1 habitat, H1 habitat buffer, H2 habitat; landforms; scenic resources, including visual impacts from a scenic road, public trail or trail easement, or public beach; because related fuel areas have already been modified and all potential structures are already existing; and
- P. That at the end of the appeal period, if this Minor Coastal Development Permit approval is not appealed, the Director will record a certificate of compliance containing the descriptions of the parcels as they will exist after adjustment.

THEREFORE, the information submitted by the applicant substantiates the required findings for a Minor Coastal Development Permit for a Lot Line Adjustment.

HEARING OFFICER'S ACTION:

1. The Hearing Officer finds that the project qualifies for a Class 5 Categorical Exemption.
2. In view of the findings of fact presented above, **Minor Coastal Development Permit 201500103 (Project 2015-02865) is APPROVED.**

ACTION DATE: June 7, 2016

GF:JB
6/7/16

c: Hearing Officer, Zoning Enforcement, Building and Safety

**CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NUMBER 2015-02865-(3)
MINOR COASTAL DEVELOPMENT PERMIT NO. RCDP201500103**

PROJECT DESCRIPTION

Minor Coastal Development Permit No: RCDP201500103 for a lot line adjustment of a lot line for two properties: Parcel 1 (1440 N. Topanga Canyon Blvd APN 4441-027-001) 12.18 ac. and Parcel 2 (1414 N. Topanga Canyon Blvd) which consists of APNs 4441-026-013 and 4441-037-013 per of Certificate of Compliance 100,027, totaling 27,210 sq. ft.

CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity make use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if different from the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning"), their affidavit stating that they are aware of and agree to accept all of the conditions of this grant. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 8 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective (pursuant to Section 22.44.1090 of the Los Angeles County Zoning Ordinance (Title 22 of the County Code)).
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County, its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing, make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the Permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the Permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Upon any transfer or lease of the property during the term of the grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. This grant shall expire unless used within 120 days from the date of the final approval of the grant, by recording the required implementing deeds for the related lot line adjustment. A single 30 day time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date. The State of California Subdivision Map Act states that a lot line adjustment case approval authorizes the lot line adjustment, but only the subsequent recordation of implementing deeds reflecting movement of the lot boundaries, implements the lot line adjustment.
9. Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new Minor Coastal Development Permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file.

If any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for such inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or

modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Section 22.44.1140 of the County Code.

12. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of the County Fire Department.
13. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
14. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
15. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
16. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

17. The subject property shall be developed and maintained in substantial conformance with the plans marked Exhibit "A." If changes to any of the plans marked Exhibit "A" are required as a result of instruction given at the public hearing, **3 copies** of a modified Exhibit "A" shall be submitted to Regional Planning by **June 28, 2016**.
18. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **3 copies** of the proposed plans to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A". All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.
19. In the event that an amendment to the approved CDP is required, the applicant shall comply with the amendment requirements of the LIP. Modifications to these conditions shall also require an amendment to the approved CDP.

20. For Parcel 2, a fire protection irrigation system shall be installed for the area added north of the existing property line. The design and installation of the irrigation system shall be subject to the approval of the Los Angeles County Fire Department (LACFD).
21. Fuel modification for Parcels 1 & 2 shall be implemented and maintained as required by the LACFD. Fuel modification shall be performed to minimize impacts to the scrub oak woodland. Understory should be cleared of seasonally dry vegetation. Limbing up (trimming of fire ladders) must be done in a checkerboard, staggered manner as required for Zone C fuel modification.

For Zone C fuel modification areas the following must occur:

- a. Retain non-sprouting species (usually having a single trunk); and
 - b. When determining which plants to remove, choose multiple-trunk resprouting species for removal. Retained multi-trunk shrubs are to be pruned in a staggered, clump pattern on an alternating schedule of 2 to 3 years between prunings for any one clump or as required by the LAFD.
22. The Department of Public Health has determined that Parcel 1 is exempt from the requirement to test for a future leach area subject to the following conditions:
- a. In the event that the present leach system fails a new area must be percolation-tested, with adequate testing to provide absorption capacity equal to or greater than that of the current leach field with use and development remaining for the same.
 - b. Any additional development on this property will require a future leach area to be tested, and may require additional capacity for the present system.
 - c. Any additions or changes to the current Onsite Wastewater Treatment System will require that it conforms to the current code and Public Health Department policy in effect at that time.



Please complete and return to:
Department of Regional Planning
320 West Temple Street, 13th Floor
Los Angeles, California 90012

AFFIDAVIT OF ACCEPTANCE

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

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REGARDING: PROJECT NO. R2015-02865-3
MINOR COASTAL DEVELOPMENT PERMIT NO. 201500103
1440 & 1414 N. Topanga Canyon Boulevard, The Malibu Zoned District
APN(S): 4441-027-001, 4441-026-013, 4441-037-013

I/We the undersigned state:

I am/We are the permittee of the above-mentioned permits and/or owner of the real property described above on Exhibit "A" attached hereto. I am/We are aware of, and accept, all the stated Conditions of Approval for the above-mentioned permit(s).

I/We also acknowledge that I/We and my/our successors in interest may be required to reimburse the Department of Regional Planning for any additional enforcement efforts necessary to bring the subject property into compliance.

Executed this 21 day of JUNE, 20 16

I/We declare under the penalty of perjury that the foregoing is true and correct.

Complete both Applicant and Owner sections, even if the same.

Applicant's Name: SANDRA GABER
RALPH MEYER
Address: 1414 N TOPANGA CYN BLVD
City, State, Zip: TOPANGA CA 90290
Signature: [Signature]

Signatures must be acknowledged by a Notary Public. Affix seal or appropriate acknowledgements.

Owner's Name: SANDRA GABER
RALPH MEYER
Address: 1414 N TOPANGA CYN BLVD
City, State, Zip: TOPANGA, CA 90290
Signature: [Signature]
Owner's Name: KELLY ROCKWELL, PRES
Address: 1440 TOPANGA CYN BLVD
City, State, Zip: TOPANGA, CA 90290
Signature: Kelly Rockwell, president
PRESIDENT-TOPANGA COMMUNITY CLUB
1440 N TOPANGA CYN BL

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of LOS ANGELES

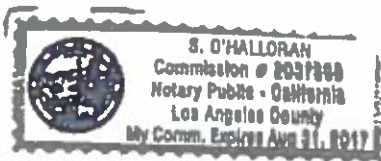
On 6-21-16 before me, S. O'HALLORAN, NOTARY PUBLIC
Date Here Insert Name and Title of the Officer

personally appeared SANDY GABER, RALPH MEYER
Name(s) of Signer(s)
+ KELLY ROCKWELL

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

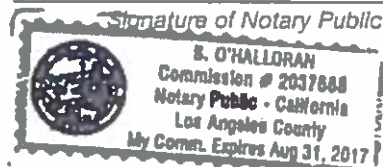
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature

S. O'HALLORAN



Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: aff of acceptance Document Date: 6-21-16

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____